IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 24TH NOVEMBER 2006 / 3RD AGRAHAYANA 1928

WP(C).No. 21535 of 2006(L)

PETITIONER:

P. ANANDAN, S/O. KARUNAKARAN,
VALLIYOT HOUSE, PAKKAM P.O., KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON
SMT.GOVINDU P.RENUKADEVI

RESPONDENTS:

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1. THE ASSISTANT REGISTRAR/ARBITRATOR-CUM-SALES OFFICER, THE KASARAGOD DISTRICT CO-OPERATIVE BANK LTD., KASARAGOD.

2. THE BRANCH MANAGER, KASARAGOD DISTRICT CO-OPERATIVE BANK LTD. NILESHWAR BRANCH, KASARAGOD.

BY ADV. SRI.T.R.RAMACHANDRAN NAIR,SC,KSD.D.CO-O
GOVERNMENT PLEADER SRI. P.N. SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 24/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).21535/2006

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1- THE PHOTO COPY OF THE AWARD

EXT.P2- THE PHOTO COPY OF THE SET ASIDE PETITION

EXT.P3- THE PHOTO COPY OF THE SALE NOTICE

(TRUE COPY)

P.A TO JUDGE

J.M.JAMES, J.

W.P.(C). 21535/2006

Dated this 24th day of November, 2006

JUDGMENT

The prayer of the writ petitioner is to quash Ext.P3, the auction sale notice, in respect of the property which is brought under E.P.4/2006, consequent on the award passed by the first respondent.

2. I heard the arguments advanced by the learned counsel for the writ petitioner, the Senior Government Pleader for the first respondent and the Standing Counsel for the second respondent.

3. In the above facts situation, I direct the writ petitioner to approach the second respondent, bank, and file an application, within one week from today, requesting for one time settlement. The second respondent shall follow the directions contained in Circular No.27/2006 dated 29.6.2006 and pass appropriate orders, within two weeks thereon. A copy

of this judgment shall also be produced before the second respondent.

The writ petition is disposed of as above.

J.M.JAMES
mrcs **JUDGE**